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May 20, 2025

Via ECF

Hon. Kiyo A. Matsumoto
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Cooper v. Fire & Ice Trucking, Corp. et al

Case No. 1:23-cv-01675-KAM-TAM

Dear Judge Matsumoto:

I represent Defendants Fire & Ice Trucking Corp. and Cheryl Owens in the above-captioned matter. I write respectfully to request an extension of time for Defendants to post the \$60,000 bond required by this Court's Order to Show Cause and Temporary Restraining Order dated May 19, 2025 (ECF No. 47), or in the alternative, to request that the Court reconsider the amount of the bond in light of the extreme financial hardship and irreparable harm Defendants are currently experiencing.

As the Court acknowledged in its Order, Defendants have demonstrated substantial irreparable harm, including the inability to access funds necessary to meet payroll obligations and maintain business operations. At present, Defendants' Chase Bank accounts and accounts receivable with FedEx totaling nearly \$200,000 remain subject to restraining notices, leaving the company with virtually no liquid assets. Fire & Ice Trucking Corp. has been unable to pay its employees and is at imminent risk of losing its operational capacity, which would irreparably damage the business and its ongoing contractual relationships.

Unfortunately, the Court's directive requiring Defendants to post a \$60,000 bond by May 20, 2025, just one day after entry of the Order, comes at a time when Defendants have no access to funds due to the very enforcement actions the TRO was meant to temporarily enjoin. Despite good faith efforts, Defendants have been unable to secure the bond amount within such a limited timeframe. Defendants urgently seek either a modest extension of time to arrange for the required bond, or in the alternative, a reconsideration and reduction of the bond amount in view of their dire financial circumstances.

These are not defendants seeking delay or evasion, they are seeking a genuine opportunity to be heard and to restore the viability of their business. Accordingly, we respectfully request that the Court extend the deadline for posting the bond or reduce the bond amount under the circumstances.

Thank you for your consideration.

Respectfully submitted,



ROBERT L. GREENER

Cc: ECF
Joshua Levine-Epstein
Attorney for Plaintiff